

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

1.	STEPHEN BROWN, a single)	
	Individual,)	
	Plaintiff,)	
)	
vs.)	Case No. CIV-18-902-R
)	
1.	ELEPHANT TALK NORTH)	
	AMERICA CORPORATION,)	
	Defendant,)	
)	
	and)	
)	
2.	ELEPHANT TALK)	
	COMMUNICATIONS CORP.,)	
	Defendant.)	

NOTICE OF REMOVAL

COME NOW Defendants Pareteum Corporation f/k/a Elephant Talk Communications Corp. and Pareteum North American Corp. f/k/a Elephant Talk North American Corp. (jointly “Pareteum Defendants”) and hereby give notice of the removal of this action (“Action”), pursuant to 28 U.S.C. §§ 1331, 1332, 1441, and 1446, from the District Court of Oklahoma County, State of Oklahoma, to the United States District Court for the Western District of Oklahoma.

1. Pareteum Corporation and Pareteum North American Corp. are the only Defendants in the civil lawsuit filed by Plaintiff, Stephen Brown, in the District Court of Oklahoma County, Oklahoma, as Case Number CJ-2018-3944 (“State Court Action”).

2. The caption of the action filed by Plaintiff in Oklahoma County District Court is *Stephen Brown vs. Elephant Talk North America Corporation and Elephant Talk*

Communications Corp. [See Ex. 1 – copy of current docket sheet for Oklahoma County District Court Case Number CJ-2018-3944¹; Ex. 2 – Verified Complaint filed in Oklahoma County District Court on July 20, 2018; Ex. 3 and Ex. 4 – Pareteum Defendants’ Special Appearance and Reservation of Additional Time to Answer or Otherwise Plead filed in Oklahoma County District Court on September 5, 2018.]

3. Plaintiff is an individual with his principal place of residency in Oklahoma. [See Ex. 2 – Verified Complaint, ¶ 1.] Pareteum Defendants are Delaware corporations with their principal places of business in New York, New York. The amount in controversy exceeds the removal threshold of \$75,000. [See Ex. 2 – Verified Complaint, ¶¶ 47, 66, 74, 79, 84, 106, 115; and Ex. 5 – Declaration of A. Korff.]

4. If Plaintiff had originally brought its action in this Court, this Court would have had original diversity jurisdiction over Plaintiff’s claims pursuant to 28 U.S.C. §§ 1332 and 1441 because the amount in controversy exceeds \$75,000 exclusive of interest and costs, and the action is between citizens of different states.

5. Further, this Court has jurisdiction over the State Court Action and removal is proper pursuant to 28 U.S.C. § 1441(a). This action involves a claim of alleged “violations of applicable federal and state statutes, rules and regulations” regarding labor laws. [See Ex. 2 – Verified Complaint, ¶ 78.] Under 28 U.S.C. § 1331, for civil actions arising under federal law, the Federal District Courts have original jurisdiction.

¹ Pareteum North America Corp. was formerly known as Elephant Talk North America Corp. Paretuem Corporation was formerly known as Elephant Talk Communications Corp.

Therefore, this Court has original jurisdiction over Plaintiff's claims asserted in this lawsuit based on original jurisdiction as well as diversity jurisdiction set forth above.

6. Accordingly, Pareteum Defendants remove this action from the District Court of Oklahoma, Oklahoma, to the Western District of Oklahoma, which is the federal judicial district in which the State Court Action is currently pending.

7. Pursuant to 28 U.S.C. § 1446(b), Pareteum Defendants are timely filing this Notice of Removal as Pareteum Defendants were served with process on August 16, 2018, which is less than 30 days prior to the filing of this Notice of Removal.

8. The Pareteum Defendants are the only Defendants in this case and both consent to removal of this matter.

9. A copy of this Notice of Removal is being served on Plaintiff and filed concurrently with the Oklahoma County District Court. [*See* Ex. 6 – Notice of Removal for filing in Oklahoma County District Court.]

WHEREFORE, Defendants Pareteum Corporation f/k/a Elephant Talk Communications Corp. and Pareteum North American Corp. f/k/a Elephant Talk North American Corp., hereby remove the action filed in Oklahoma County District Court to the United States District Court for the Western District of Oklahoma.

Respectfully Submitted,

By: /s/ Theresa N. Hill
THERESA N. HILL, OBA #19119
thill@rhodesokla.com
DENELDA L. RICHARDSON, OBA #20103
drichardson@rhodesokla.com
RHODES, HIERONYMUS, JONES, TUCKER &
GABLE, PLLC
P.O. Box 21100
Tulsa, OK 74121-1100
(918) 582-1173
(918) 592-3390 Facsimiles

ATTORNEY FOR DEFENDANTS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 14th day of September, 2018, the above and foregoing was electronically transmitted to the Clerk of Court using the Court's CM/ECF System for filing and transmittal of a Notice of Electronic filing to the following:

John M. Gibson
4334 NW Expressway
Suite 230
Oklahoma City, OK 73120

Attorney for Plaintiff

/s/ Theresa N. Hill
Theresa N. Hill